

10164. Misbranding of Hall's catarrh medicine. U. S. * * * v. 9 Gross Bottles * * * and 3 Gross Bottles * * * of Hall's Catarrh Medicine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14069, 14070. I. S. Nos. 10411-t, 10412-t. S. Nos. W-816, W-817.)

On or about December 14, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 gross bottles of Hall's catarrh medicine, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Cheney Medicine Co., Toledo, Ohio, on or about August 25, October 11, and November 1, 1920, respectively, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, bitter plant extractives, sugar, alcohol, and water, flavored with cardamom.

Misbranding of the article was alleged in substance in the libels for the reason that it was labeled in part as follows, (bottle, carton, and booklet) "Hall's Catarrh Medicine * * *," (bottle) "* * * valuable in the treatment of Catarrh * * *," (booklet) "* * * For Catarrh of the Nasal Cavity, Catarrh of the Ear, Throat, Stomach, Bowels, or Bladder. * * * a Blood Purifier * * *," which statements appearing on the labels and in the accompanying booklet were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10165. Misbranding of Lung Germine. U. S. * * * v. 8 Packages * * * of Lung Germine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15026. Inv. No. 35373. S. No. E-3423.)

On July 15, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 packages of Lung Germine, remaining unsold at Boston, Mass., alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., on or about April 7, 1921, and transported from the State of Michigan into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small amounts of iron sulphate, spices, and material derived from cod-liver oil.

Allegations in the libel as to the false and misleading statements with reference to the alcoholic content of the article and as to the false and fraudulent statements regarding its curative and therapeutic effect, appearing in the labeling thereof, are substantially the same as those set forth in detail in Notice of Judgment No. 9958, to which reference is made.

On November 14, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10166. Adulteration and misbranding of tankage. U. S. * * * v. The Schalker Packing Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 15067. I. S. No. 8081-r.)

At the October, 1921, term of the United States District Court within and for the District of Kansas, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Schalker Packing Co., a corporation, Leavenworth, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 28, 1919, from the State of Kansas into the State of Missouri, of a quantity of tankage which was adulterated and